RJ: Restorative Justice

what is restorative justice?

Restorative justice is an alternative to punitive justice, the predominant punishment system in the United States and at Middlebury College. Punitive justice focuses on an individual's offense against an institution, and the punishment follows the ideal that the offender should be punished by the institution in order to equal out the harm of their crime or wrongdoing. Restorative justice differs from punitive justice in that it focuses on the offender, the victim, and the community, rather than the offender and the institution. The process of restorative justice focuses on communication, reconciliation, and accountability and seeks to foster dialogue and understanding between the offender and the victim. Restorative justice is also referred to as transformative justice, because ideally it not only restores a community to what it was before a conflict, but helps to transform that community in light of the offense and surrounding circumstances.

why does it matter?

Restorative justice seeks to understand and address the circumstances that contributed to someone's wrongdoing. In seeking dialogue and understanding, restorative justice can help to address structural power imbalances and the needs or concerns of the community. Restorative justice personalizes justice and seeks to eliminate an impersonal bureaucratic

approach to justice where offenders are given a punishment that does nothing to address the situation where the offense took place, and thus does nothing to repair or strengthen the community and make amends.

why here? why now?

In the upcoming week, students involved in protesting Charles Murray will begin hearings regarding their official college discipline. At this point, these hearings are slated to move forward as decided by the judicial affairs officers. Many members of the College community disagree with the punitive structure of the College's disciplinary procedures. The past several years, there has been a push to shift College discipline to a restorative justice model, but it hasn't taken place because it **wasn't in the budget**. In light of the Charles Murray protests, the College is hoping to shift to a restorative justice model **next year**, after punishing protesters through the current, punitive system. These protesters stood up for what they believe is right. **The current disciplinary process does not address the underlying issues that led to the protest and instead continues to value the comfort of the college and the stability of its reputation over the health, well-being, and safety of its students.**

In order to understand how justice should be dealt with in this specific situation, we must think about who the victim is, who the offender is, and why the two parties have interacted as they have. Is Charles Murray the victim? The AEI? Middlebury College as an institution? How does this discussion of victimhood extend into the protesters' claims that Charles Murray's message was symbolic violent and actively harmful to the community? Punitive measures that reduce protest to an infraction against an institution and disregard the people and communities at stake do a disservice to the ongoing project of creating and strengthening an inclusive community.

Regardless of personal views surrounding the justification of the protest or the College's response, restorative justice is a necessary step in order to heal, strengthen, and transform the Middlebury College community, both right now and moving forward into the future.